



**D R A F T**

**PLANNING AND DEVELOPMENT**

**ORDINANCE OF BENTON COUNTY**

**AUGUST 2013**

**PLANNING DEPARTMENT**  
905 NW 8<sup>th</sup> Street  
Bentonville, AR 72712

# **TABLE OF CONTENTS**

## **CHAPTER I – GENERAL PROVISIONS**

- §1.1 – Title
- §1.2 – Jurisdiction and Authority
- §1.3 – Effective Date and Transitional Rules
- §1.4 – Purpose and Intent
- §1.5 – Planning Boundary and Review Coordination
- §1.6 – Interpretation and Separability
- §1.7 – Reserved

## **CHAPTER II – ADMINISTRATION AND ENFORCEMENT**

- §2.1 – Administration and Enforcement
- §2.2 – Board of Appeals
- §2.3 – Board of Appeals Procedures
- §2.4 – Appeals to the Decision of the Board of Appeals
- §2.5 – Compliance and Inspections
- §2.6 – Penalties
- §2.7 – Amendments to This Ordinance
- §2.8 – Authority to Assess Fees
- §2.9 – Modification, Variance, or Waiver
- §2.10 – Reserved

## **CHAPTER III – DEFINITIONS**

- §3.1 – Purpose, And Applicability
- §3.2 – General Rules for Construction of Language
- §3.3 – Numbered Definitions
- §3.4 – Alphabetic Definitions
- §3.5 – Reserved

## **CHAPTER IV – GENERAL REQUIREMENTS OF DIVISION AND DEVELOPMENT OF LAND**

- §4.1 – Applicability and Intent
- §4.2 – Land Use and Development Pattern
- §4.3 – Lot Size and Building Setback
- §4.4 – Non-Compliance Clause
- §4.5 – Variation Permitted
- §4.6 – General Requirements of Division and Development of Land
- §4.7 – Performance Standards
- §4.8 – Public Hearings
- §4.9 – Development Review Committee
- §4.10 – Assurance for Completion and Maintenance of Improvements
- §4.11 – Release of Performance Security
- §4.12 – Reserved

## **CHAPTER V – SUBDIVISION REGULATIONS**

- §5.1 – Applicability and Intent
- §5.2 – Exemptions
- §5.3 – Rules for Subdivision Design
- §5.4 – Minor Subdivision and Family Split – Up To 5 Plats
- §5.5 – Major Subdivision – More Than 5 Plats
- §5.6 – Modification to an Approved Subdivision

- §5.7 – Development Master Plan (DMP)
- §5.8 – Planned Unit Development (PUD)
- §5.9 – Reserved

## **CHAPTER VI – SITE PLAN REVIEW**

- §6.1 – Applicability and Exemptions
- §6.2 – Development Requiring Site Plan Review
- §6.3 – Cumulative Improvements
- §6.4 – Amendments to Approved Plans
- §6.5 – Site Plan Design Standards
- §6.6 – Land Uses and Special Review Criteria
- §6.7 – Land Use Compatibility
- §6.8 – Site Plan Review Procedures
- §6.9 – Reserved

## **CHAPTER VII – SPECIAL DEVELOPMENT REGULATIONS**

- §7.1 – Mobile Home Parks
- §7.2 – Telecommunication Facilities
- §7.3 – Wind Energy Facilities
- §7.4 – Signs
- §7.5 – Temporary Uses
- §7.6 – Home and Rural Family Occupations
- §7.7 – Adult Oriented Business
- §7.8 – Retail Liquor Establishments
- §7.9 – Sport Shooting Ranges and Sports Facilities
- §7.10 - Reserved

## **CHAPTER VIII – STORMWATER POLLUTION PREVENTION, GRADING, AND EROSION CONTROL**

- §8.1 – General Provisions
- §8.2 – Prohibitions and Requirements
- §8.3 – Stormwater Discharges From Construction Activities
- §8.4 – Enforcement
- §8.5 – Fees
- §8.6 –Reserved

## **CHAPTER IX – BENTON COUNTY BUILDING CODE ADMINISTRATION**

- §9.1 – International Building and Fire Prevention Codes
- §9.2 – Local Building Code Provisions
- §9.3 – Reserved

## **CHAPTER X – FLOOD DAMAGE PREVENTION**

- §10.1 – In General
- §10.2 – Flood Damage Prevention
- §10.3 – Administration
- §10.4 – Flood Damage Prevention
- §10.5 – Standards for Subdivision Proposals
- §10.6 – Standards for Areas of Shallow Flooding (AO/AH Zones)
- §10.7 – Floodways
- §10.8 – Penalties for Non-Compliance
- §10.9 – Emergency Clause
- §10.10 –Reserved

## **LIST OF APPENDICES AND ILLUSTRATIONS**

Appendix A- Existing Land Use Classification Map for Benton County (2013)

Appendix B- LID Design Alternatives

Appendix C- List of Suggested Native Vegetation

Appendix D- Stormwater Management- Best Management Practices

Appendix E- Public Notice Sign Template

Appendix F- Site Distance by Design Speed for Subdivision Streets

Appendix G- Preliminary Plat Revisions and Approval Process Flowchart

Appendix H- Final Plat Revisions and Approval Process Flowchart

Appendix I- Administrative Approval Process Flowchart

Appendix J- Site Plan Review and Approval Process Flowchart

Figure 5.1- Examples of Minor Subdivision Plats

Figure 5.2-Examples of Major Subdivision Plats

Figure 5.3-Examples of Minor Boundary Adjustment

Figure 5.4-Examples of Property line Adjustment

Table 5.1 – Dimensional Requirements for Conventional Subdivisions

Table 6.1 – Number of required accessible spaces

Fig. 6.1 - Typical size of accessible parking spaces

Table 6.2- Off-Street Parking Dimensions

Table 6.3 – On-Site Parking Performance Standards